

REMARKS

Claims 1, 2, and 4-17 are now pending in the application with Claim 3 being cancelled herein. Minor amendments have been made to the claims to simply overcome the rejections of the claims under 35 U.S.C. § 112. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 112

Claims 1-5, 11-12 and 14-16 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. This rejection is respectfully traversed. The Examiners attention is directed to Claims 1 and 11 which have been amended to overcome the Examiner's rejection.

REJECTIONS UNDER 35 U.S.C. § 102 & § 103

Claims 1-2 and 4-10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Seeliger (U.S. Pat. No. 6,090,232). Claims 6-10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Schwartz (U.S. Pat. No. 6,085,965). Claims 1-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Seeliger (U.S. Pat. No. 6,090,232) in view of Baumeister (U.S. Pat. No. 5,151,246) and further in view of Rashid (U.S. Pat. No. 6,253,588). In view of the amendments and arguments herein, these rejections are respectfully traversed.

The Examiner's attention is directed to independent Claims 1 and 11 which have been amended to include the limitation that the curvilinear sheet metal is made of a material which is capable of being superplastically deformed. Claim 1 has further been amended to include the limitation that the sheet metal material is further capable of being subject to quick plastic deformation.

The Office Action states that it would be obvious for one skilled in the art to combine the teaching of Seeliger and Baumeister with the Rashid reference with respect to superplastic formation of metallic panels to form Applicants' claimed invention. Applicants respectfully submit that the combination of the references is improper as there is no motivation to combine these references within the references themselves. While Applicants admit that both the Rashid and Seeliger references disclose the formation of stamped body panels, there is clearly no motivation or teachings that super or quick plastic formation is even possible with the addition of a metal foam precursor coupled to the sheet metal and within the mold.

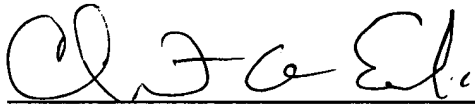
With regard to amended independent Claim 17, Rashid teaches that very specific equipment and materials are needed to obtain superplastic deformation. In this regard, specific materials, pressures, temperatures and times are disclosed to superplastically deform the sheet metal component. There is clearly no teaching that the formation of a metal foam is desirable or even possible with this material equipment. For these reasons, Applicants respectfully assert that the Applicants' invention as defined by the independent claims is patentable over the references cited.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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